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# Security Council

Sixty-first year

*Provisional*

**5351**st meeting

Monday, 23 January 2006, 10 a.m.

New York

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| *President:* | Mr. Mahiga | (United Republic of Tanzania) |
| *Members:* | Argentina | Mr. Mayoral |
| | China | Mr. Wang Guangya |
| | Congo | Mr. Okio |
| | Denmark | Mr. Faaborg-Andersen |
| | France | Mr. De La Sablière |
| | Ghana | Mr. Tachie-Menson |
| | Greece | Mr. Vassilakis |
| | Japan | Mr. Oshima |
| | Peru | Mr. De Rivero |
| | Qatar | Mr. Al-Nasser |
| | Russian Federation | Mr. Dolgov |
| | Slovakia | Mr. Burian |
| | United Kingdom of Great Britain and Northern Ireland | Mr. Thomson |
| | United States of America | Mr. Brencick |

## Agenda

The situation in Timor-Leste

Progress report of the Secretary-General on the United Nations Office in Timor-Leste (S/2006/24)

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room C-154A.

06-21738 (E)

*The meeting was called to order at 10.15 a.m.*

**Adoption of the agenda**

*The agenda was adopted.*

**The situation in Timor-Leste**

**Progress report of the Secretary-General on the United Nations Office in Timor-Leste (S/2006/24)**

**The President**: I should like to inform the Council that I have received letters from the representatives of Australia, Austria, Brazil, Indonesia, Portugal and Timor-Leste, in which they request to be invited to participate in the consideration of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite those representatives to participate in the discussion, without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

I request the Chief of Protocol to escort His Excellency Mr. Kay Rala Xanana Gusmão, President of Timor-Leste, to a seat at the Council table.

*Mr. Kay Rala Xanana Gusmão, President of Timor-Leste, was escorted to a seat at the Council table.*

**The President**: On behalf of the Council, I extend a warm welcome to the President of Timor-Leste.

*At the invitation of the President, the representatives of the other aforementioned countries took the seats reserved for them at the side of the Council Chamber.*

**The President**: In accordance with the understanding reached in the Council's prior consultations, I shall take it that the Security Council agrees to extend an invitation under rule 39 of its provisional rules of procedure to Mr. Sukehiro Hasegawa, Special Representative of the Secretary-General for Timor-Leste and Head of Mission of the United Nations Office in Timor-Leste.

It is so decided.

I invite Mr. Hasegawa to take a seat at the Council table.

The Security Council will now begin its consideration of the item on its agenda. The Security Council is meeting in accordance with the understanding reached in its prior consultations.

Members of the Council have before them document S/2006/24, which contains the progress report of the Secretary-General on the United Nations Office in Timor-Leste.

I wish to draw the attention of the members to document S/2006/39, containing the text of a letter dated 20 January 2006 from the Permanent Representative of Timor-Leste addressed to the Secretary-General.

At this meeting, the Security Council will hear a briefing by Mr. Sukehiro Hasegawa, Special Representative of the Secretary-General for Timor-Leste and Head of Mission of the United Nations Office in Timor-Leste. I now give him the floor.

**Mr. Hasegawa**: It is a pleasure for me to address the Security Council on the progress made during the five months since the Council last met on this item, in August 2005. Today, I feel particularly privileged to address the Council in the presence of His Excellency President Kay Rala Xanana Gusmão and Foreign Minister José Ramos-Horta, along with Ambassador José Guterres of Timor-Leste.

The past five months have turned out to be a productive period for the United Nations Office in Timor-Leste (UNOTIL) in implementing the three mandated programmes and in preparing for the transfer of capacity-building functions to United Nations agencies and other development partners, as called for in Security Council resolution 1599 (2005).

Let me start with the first component of the UNOTIL mandate implementation, that is, support to critical State institutions. Since 2002, international advisers provided by the United Nations and bilateral development partners have achieved a great deal of progress in building the capacity of the Timorese to administer their public institutions. As a result, the number of international advisers provided by the United Nations system has declined from nearly 300 three years ago to about 100 at the end of last year.

I am pleased to note that, during the past five months, UNOTIL civilian advisers accelerated their efforts to transfer skills and knowledge, and that their Timorese counterparts are now demonstrating increased ability and willingness to carry out their duties. Yet national capacities in highly technical areas, such as justice and finance, remain extremely weak, and it has become evident that international advisory support, especially in those two areas, will be required for some years to come.

In the justice sector, eight international judges have continued to provide training, as well as to perform line functions in court, including the handling of serious criminal cases. The presence of international judges has greatly contributed to the efficient disposition of the cases and has reduced the time for completing trials to five months. Nonetheless, it will take a few more years for the national judges to become self-sufficient, as they are still undergoing basic judicial training.

President Gusmão recently expressed his concern about the capacity of public prosecutors to deal adequately with as many as 3,000 pending civil and criminal cases. This situation needs urgent attention indeed, as all the national prosecutors commenced specialized training in January and will not be able to attend to their responsibilities. Additional international prosecutors are, therefore, required. The recent inauguration of the law faculty of the National University of Timor Lorosa'e will provide a long-term sustainable solution to the lack of adequate national legal expertise.

In the finance sector, a great deal of progress has been made in building national expertise. As a result, the number of United Nations-funded advisers was dramatically reduced from nearly 70 three and a half years ago, to less than 10, along with several bilateral advisers, by the end of last year. Currently, six UNOTIL civilian advisers are supporting the Ministry of Planning and Finance. The World Bank has shown its readiness to implement a technical assistance programme. However, the Government is requesting the United Nations to continue providing such advisers to maintain the critically important financial functions.

As the Secretary-General's report (S/2006/24) indicates, of the 45 adviser positions, several posts will be taken over by national institutions by 20 May. The remaining functions will be looked after by the appropriate United Nations agencies, financial institutions and other development partners.

Let me now turn to the second UNOTIL mandate: to provide support for the observance of democratic governance and human rights. We have assigned human rights officers to Government ministries and State institutions, with the aim of strengthening their capacity to protect and promote human rights. In that connection, it is commendable that the Office of the Provedor for Human Rights and Justice has indeed made great progress in drafting a strategic plan and establishing a complaint-handling system in preparation for the opening of the Office to the public in March 2006. Beyond May, human rights activities will need continued attention by the international community. I am pleased to inform the Security Council that the Office of the United Nations High Commissioner for Human Rights is fully committed to providing the necessary assistance and sending a needs assessment mission next month for the purpose of clearly identifying post-UNOTIL requirements.

Under the leadership of Foreign Minister José Ramos-Horta, Timor-Leste has demonstrated a remarkable commitment to establishing a normative international human rights framework through its early ratification of the full range of the core human rights treaties in 2003 and 2004. Timor-Leste is about to complete its final initial human rights reports under the Convention on the Rights of the Child and the Convention on the Elimination of All Forms of Discrimination Against Women, with the support of United Nations agencies and human rights officers.

I am pleased that the Commission for Reception, Truth and Reconciliation has just completed its report, and that the President handed it to the Secretary-General last Friday. As President Gusmão will report, the Commission has covered a wide range of issues and made several specific recommendations that require careful consideration.

I shall now turn to the third component of UNOTIL's mandate, namely, support to the national police, and particularly to the Border Patrol Unit, through the provision of 60 police and 15 military training advisers.

UNOTIL police training advisers and their Timorese counterparts have conducted a joint capacity assessment of each unit and formulated a strategic plan for their further development. Military training

advisers have now completed the initial phase of the transfer of border management skills and entered into the validation phase, so as to ensure that the Border Patrol Unit has the capacity to interact with its Indonesian army counterparts as equal and professional partners.

However, the need to accelerate the implementation of those training programmes became quite evident on 6 January, when an incident took place during which three people were shot dead at the border by the Timorese police. I commend the decision made immediately by the two countries, Timor-Leste and Indonesia, to undertake a joint investigation into the incident. The incident has prompted UNOTIL, for our part, to refocus our attention on the specific need to enhance the professionalism of the Border Patrol Unit. In that regard, I have instructed UNOTIL police and military training advisers to review and redesign the training programme by placing greater emphasis on the minimum use of force during arrests and detentions, in order to avoid the recurrence of incidents of that nature.

Meanwhile, as noted in the report of the Secretary-General, Timor-Leste's relationship with Indonesia continues to improve. That improvement has been characterized by an exchange of visits at the highest level, by President Gusmão and President Yudhoyono, as well as by frequent consultations carried out by Foreign Ministers Ramos-Horta and Hassan Wirajuda. The bilateral relationship has also been strengthened by cooperation between the two sides in many other areas.

In that connection, I would like to commend Timor-Leste and Indonesia for making significant progress during the last few weeks towards resolving technical issues concerning the demarcation of the common border. I am confident that a final agreement can be achieved on the remaining 1 per cent. in order to soon conclude the task of delineating the entire border.

Timor-Leste's relationship with Australia has also been strengthened. On 12 January, the Foreign Ministers of the two countries signed an agreement to share revenues derived from the Greater Sunrise oil and natural gas field. Timor-Leste will receive 50 per cent of the upstream revenues, which will no doubt facilitate the economic and social development of the country.

Timor-Leste has made major progress in peacebuilding, but peace remains fragile. Presidential and parliamentary elections will take place next year, for the first time since the restoration of independence. Remembering what happened in 1975, Timorese leaders have reminded us that those elections will constitute a critical test for the nascent democratic State of Timor-Leste. An electoral needs assessment mission fielded in November 2005 concluded that, for the elections to be free and fair, Timor-Leste needs the assistance of the international community and a strong political presence. Following the recommendations of the mission, UNOTIL is already in the process of recruiting three technical advisers to assist in drafting electoral laws, planning electoral administrative processes and establishing a voter database. I invite the members of the Council to refer to the letter that Prime Minister Mari Alkatiri just sent to the Secretary-General (S/2006/59, annex), requesting the establishment of a special political office. I recommend that the Security Council carefully examine the Government's request, taking into account the newly emerging political and security situation.

Finally, I wish to thank President Xanana Gusmão and other leaders of Timor-Leste for having maintained close dialogue and consultations with us in building peace and the capacities of Timorese institutions, as mandated by the Security Council. For the last six years the United Nations has been able to carry out successful peacekeeping and peacebuilding operations in Timor-Leste thanks in great part to the determination of the leaders and people of Timor-Leste to benefit wisely from the assistance that United Nations missions can provide.

**The President**: I now invite His Excellency Mr. Kay Rala Xanana Gusmão, President of Timor-Leste, to make a statement.

**President Gusmão**: I wish to thank you, Mr. President, for inviting me to speak to this body today. I ask the indulgence of the members of the Security Council in offering special thanks. On my own behalf and on behalf of the people of Timor-Leste, I wish to convey to you, Mr. President, and to the people of Tanzania, our profound gratitude for the strong support you have given us, beginning in December of 1975, when Mr. José Ramos-Horta, our Minister for Foreign Affairs, arrived here for the first time to seek the assistance of the Security Council. He was literally met at the front door by Mr. Salim Ahmed

Salim, who looked after him. I express our deepest gratitude to the late President of Tanzania, Mr. Julius Nyerere, Father of the Nation. In the 1980s, when I was still in the mountains of Timor-Leste leading the FALINTIL guerrilla army, I was informed that President Nyerere had raised the issue of Timor-Leste's self-determination during a visit to Indonesia. Words cannot do justice to the feelings we experienced or to the way our spirits soared when we received the news of that.

In the interest of time, my presentation will be an abridged version of the statement that has been circulated in the Chamber. I will address three issues: my thoughts on the report of our Commission for Reception, Truth and Reconciliation, current developments and challenges, and our ongoing needs and expectations vis-à-vis the international community.

On 31 October 2005, Mr. Aniceto Guterres, Chairman of the Commission, handed to me the Commission's final report, pursuant to regulation No. 2001/10 of the United Nations Transitional Administration in East Timor (UNTAET) as amended by our National Parliament. Abiding by the law and in an effort to expedite the process, I handed the report over to the National Parliament on 28 November, and thereafter to the Government. On 20 January 2006, the Secretary-General was gracious enough to receive me. On that occasion, I presented him with a copy of the Commission's report.

When I addressed our National Parliament on 28 November, I said that, upon learning about the contents of the report, I concluded that both Minister Ramos-Horta and I were right in saying that true justice for the East Timorese was the recognition by the international community of the right of the people of Timor-Leste to self-determination and independence. That understanding is crucial to our analysis and conclusions. Therefore, if we consider that the previous 24 years were years of injustice — injustice in which part of the international community was implicated — then the collective actions taken by the United Nations in 1999 in freeing our people, and in assisting us since, are acts of redemption and of superior justice.

The following excerpt can be read in the report handed to me on 31 October 2005:

> "The Commission is of the opinion that it is not possible to achieve long-lasting reconciliation without establishing the truth, obtaining justice and providing compensation to the victims."

Before the Commission for Reception, Truth and Reconciliation was established, the National Council of Timorese Resistance, with the support of the International Organization for Migration, the Office of the United Nations High Commissioner for Refugees and the United Nations Transitional Administration in East Timor, was engaged in meetings at the border involving victims and perpetrators in an effort to encourage the Timorese who had fled to West Timor to return home. Those meetings were also aimed at fostering genuine reconciliation among the people, and genuine reconciliation means the way that people accept each other without sentiments of revenge and hatred.

We need not evaluate the report of the Commission for Reception, Truth and Reconciliation solely from the incomplete perspective of exposing the truth regarding violations of human rights. I acknowledge that the Commission's mandate was the pivotal element leading to all other activities. We all acknowledge the merit that the Commission has earned in the search for truth. Further, we all acknowledge that truth is seminal to the quest for justice for the victims.

Reconciliation, however, has been a long-standing process for the people of Timor-Leste. It is as a result of our efforts at reconciliation that there has not been a single revenge killing of suspected elements implicated in the occupation of our country. If the elections of August 2001 for the Constituent Assembly represented a great moment of civic behaviour on the part of the citizens of Timor-Leste, and if the elections of April 2002 for the President of the Republic were held in a commendable climate free from violence, they should be seen as a reflection of the profound consciousness of our people of the need never, ever again to allow any space in Timor-Leste for political violence. That is why we are living in an environment of political stability and social harmony.

The investigations of the Commission for Reception, Truth and Reconciliation can be grouped into two main areas: the international dimension, pertaining to the way the international community positioned itself in relation to the question of Timor-Leste, and the internal dimension, which dealt with acts committed against the Timorese.

Regarding responsibility for the acts committed by us Timorese since the 1980s, we acknowledge that such violations of human rights took place. We knew that the report of the Commission would suffer from a lack of impartiality and objectivity unless the human rights abuses committed by Timorese against Timorese were addressed as well.

Some of the report's recommendations with respect to justice are very ambitious. What, after all, is the objective of justice? It is promoted mostly as retribution — punishing those who act outside the rule of law. Retributive justice is found in the legal systems of all countries, yet we know that justice has a deterrent component and that most countries incorporate that aspect of justice into their legal systems.

The report of the Commission for Reception, Truth and Reconciliation states that "the absence of justice ... is a fundamental obstacle in the process of building a democratic society". My reply to that would be: "Not necessarily". Justice cannot be abstracted, and I would say that the building of a democratic society is very much dependent upon the context in which we apply that concept. Our own process in building tolerance and reconciliation as the bases for a democratic participation of the people is applying restorative justice.

What also concern me are the report's recommendations pertaining to reparations for the victims and further prosecutions. The report asks the permanent members of the Security Council, the Governments that sold weapons to Indonesia and supported Indonesia's policy, as well as the Portuguese and Indonesian Governments, to pay reparations to the victims.

In regard to the responsibilities of those who, during the 24 years from 1975 to 1999, by indifference and inaction or by direct participation enabled an unjust situation to persist for so long, I can only express my deepest gratitude for what the countries mentioned in the Commission's report and many others have done to free us and to rebuild our country. There are not enough words to express the gratitude of our people.

The prosecution's recommendation suggests, on the one hand, the establishment of an international tribunal and, on the other, that the contracts of the international judges who served on the Special Panels for Serious Crimes be renewed and that the resources allocated to the investigation and trial of all crimes committed between 1975 and 1999 be enhanced. That recommendation does not take into account the situation of political anarchy and social chaos that could easily erupt if we should decide to bring people to court for every crime committed by ourselves since 1975.

Finally, the report of the Commission for Reception, Truth and Reconciliation also deals with the Commission for Truth and Friendship, considered as the opposite of punitive justice. While there have been many national truth commissions, there has never been one jointly initiated by two countries, and we regret that the United Nations has so far not shown much interest in or support for that novel initiative. The establishment of the Commission for Truth and Friendship was an undertaking of the State. The State of Timor-Leste works on the principle that truth-telling is a way of achieving justice, which, under the current circumstances, is the best approach to the democratic development of both countries — Timor-Leste and Indonesia. In our perception, it is not easy for anyone to accept the truth. The acceptance of the truth is therefore the acknowledgement of responsibility.

On the way here, I came across an article by Nobel Peace laureate Archbishop Desmond Tutu on the very issue on which I am reflecting. For members' benefit, I have attached to my speech a copy of that timely article, entitled "Justice is Reconciliation", but allow me to read out some salient parts that speak to our situation as much as any other can.

> "In our case neither the apartheid Government nor the liberation movement could defeat each other. We had a military deadlock. Moreover, in the case of Nuremberg, the prosecutors and judges could pack up their bags after the trial and leave Germany for their homes. We had to make our homes in this, our common motherland, and learn to live with one another ... Such trials probably would have gone on nearly forever, leaving gaping wounds open."

Whilst we do not share a common motherland with Indonesia, we do share a border, we do share history, we do have citizens of Timor-Leste living, working and studying in Indonesia, we are both nascent democracies struggling to put behind us years of conflict, and our fates are in many ways conjoined.

Timor-Leste is not a conquering nation and Indonesia is not a conquered one.

I have had to ask myself if it would be in our national interest — which must include social harmony — to begin a process that, I am told by some friends, will bring justice, and have this process go on for years, possibly setting back the democratic consolidation that is being undertaken in Timor-Leste and in Indonesia, respectively. The answer that I came to, after wide consultation with the people, was that it would not be.

Archbishop Tutu spoke at length on this issue, and what is most telling is that he mentioned both the necessity and desirability of adopting a restorative justice model. He said:

> "So it was a mercy that our country chose this way to go the way of the Truth and Reconciliation Commission — granting amnesty in exchange for the truth. This was ultimately based on the principles of restorative justice and *ubuntu*.... It sets high store by healing.... Justice as retribution often ignores the victim, and the system is usually impersonal and cold. Restorative justice is hopeful."

We, too, are hopeful, and it is important that we, too, follow the path of restorative justice, in step with our needs.

Finally, what should be the true lesson learned from this report?

There are many valuable recommendations that deserve in-depth study by Timorese society and particularly by the political forces of our nation. The commitment that we should all undertake is not to allow, under any circumstances, a recurrence of political violence in our beloved homeland.

Allow me now to turn to current developments in Timor-Leste and to speak of the achievements and challenges.

As we are nearing the end of the mandate of the United Nations Office in Timor-Leste (UNOTIL), allow me to express in this forum the collective and sincere gratitude of the people of Timor-Leste to the Council for the critical role that this body has played in the recent history of our country. Though it might sometimes seem to us that 1999's dark days of senseless violence and destruction are a thing of the past, let us not forget that it all happened only a few years ago.

Yet in this short time span much has happened and much has changed for the better — so much so that our people, despite the fact that many are still trying to come to terms with their personal suffering, are happy that we are at peace with ourselves and with our neighbours and that we are living in a free and democratic country. We would not have achieved this without the Council's steady and generous assistance.

In the short period of time that has elapsed since the transfer of sovereignty in May 2002, our new nation, building on the impressive through basic and precarious institutions left by UNTAET, has made some strong progress.

The Secretary-General's report provides a good overview of the achievements made and the challenges my country still faces. To add to the Secretary-General's positive assessment of the situation in the country, Council members might wish to read another recent, positive report — this one by the World Bank.

As head of State, I am fully aware of the criticisms levelled at our security forces, namely the national police. One need only listen directly to those on the receiving end of the abuses or read our media reports to conclude that there have been too many unacceptable breaches of our own laws and of international obligations.

However, I believe also that, compared with the situation that prevailed only two years ago, there has been a marked improvement in the overall conduct of our police force. We are very grateful to those countries that have made such an important contribution to the development of our police force.

Unfortunately, our shortcomings and failings are not confined to one area alone. We are conscious of our shortcomings in the justice sector — as the Special Representative of the Secretary-General, Mr. Hasegawa, stated earlier — which are the result of an extreme shortage of trained and experienced judges, prosecutors, public defenders and court clerks. Although the situation has improved somewhat with the recruitment of a number of competent foreign jurists, the reality is that, for a long time to come, Timor-Leste will continue to require international assistance in that sector if we are to offer our people an

independent and professional judiciary that is fundamental to our democratic process.

Our relations with our two closest neighbours continue to develop on a sound basis. The high point of our relationship with Indonesia came last year, when President Susilo Bambang Yudhoyono visited our country. Despite a series of incidents involving repeated incursions into our territory, in the Oecussi district in September and October 2005, by civilian elements that destroyed private property and a police post, the overall situation has been very calm.

On 6 January, an incident occurred when three indicted persons based in West Timor entered our territory. In the ensuing scuffle, the three were not dead. We must await the results of the investigation, to be undertaken by a joint commission of investigation agreed by the two sides, before we can be certain of the facts surrounding the incident. Nevertheless, regardless of the facts that emerge, any loss of life is regrettable.

With our other neighbour, Australia, we have taken another significant step. On 12 January the two foreign ministers signed an agreement that provides for a 50-50 sharing of oil and gas resources in the Greater Sunrise area, one of the richest in the entire Asia-Pacific region, and a 50-year moratorium on our maritime boundary, without prejudice to our sovereign claims.

In the course of this year, we will see heightened political activities in Timor-Leste as we approach the 2007 general elections for the national parliament and the presidency. As head of State, it is my duty, under the Constitution, to set the dates for the elections.

In that regard, I have found very useful the report of the United Nations Electoral Assistance Division of the Department of Political Affairs assessment mission that visited Timor-Leste in December 2005 to evaluate our needs in regard to the electoral process.

Against that backdrop, it is my duty to appeal to the international community to continue to assist us in meeting some of our most critical needs. Prime Minister Mari Alkatiri has written to the Secretary-General conveying our needs and our request for assistance. That letter was also sent to the President of the Security Council.

While we agree that UNOTIL should come to an end, and with that I must say that we should close the United Nations presence in our country on a high note, I would propose that the Security Council consider the establishment of a special political office in Timor-Leste with the following components, as outlined in the Prime Minister's request.

First, electoral assistance is needed to provide the Government with technical and logistical support.

Secondly, civilian advisers are required. As members are aware, while we have made continuing progress during UNOTIL's mandate, there are critical areas that remain in need of secure and steady assistance, specifically in the justice and finance sectors.

Thirdly, Timor-Leste continues to require support in police training. Although we have had an excellent bilateral assistance programme funded by Australia and the United Kingdom, we believe it is important to maintain a degree of United Nations involvement in police training.

And finally, in view of the forthcoming elections in 2007 and the need to ensure enhanced dialogue and cooperation between East Timorese and Indonesian security elements in order to prevent tension and conflict along the border, we believe that the deployment of some 15 to 20 military liaison personnel as part of the special political office would be of crucial importance.

In the meantime, we are planning a celebratory event on 19 and 20 May 2006 to say farewell to the United Nations and our friends and to thank them as the current United Nations mission comes to a close after nearly six years. We hope that Council members will honour us with their presence on that occasion.

Last but not least, as this might be the final time I address this body in my current capacity before the formal closure of the United Nations peacekeeping and peacebuilding missions in my country, allow me to thank each and every member of the United Nations family for playing a role in securing peace, security and progress in my country. I wish to thank all countries that have contributed troops to the International Force, East Timor, and in particular Australia for its decisive leadership in 1999, which made possible the landing of peace enforcers in our country.

I wish to pay tribute to our dear friend the late Sergio Vieira de Mello, a unique human being and one of the best-ever servants of the United Nations and its

highest ideals. I wish also to thank his immediate predecessor, Ian Martin, head of the United Nations Mission in East Timor, which paved the way for what followed. I wish further to pay tribute to Kamalesh Sharma, head of the United Nations Mission of Support in East Timor, and to our friend Sukehiro Hasegawa, head of UNOTIL, who has been in Timor-Leste since 2002, displaying admirable energy and dedication in his mission. To him I say, "Arigato, Sukehiro-san".

Through them I pay tribute to all their immediate staff and to the peacekeeping forces, police and civilian personnel and United Nations Volunteers under their command, from so many nationalities. We owe them all a great deal.

We might not have too many virtues, but we possess one quality that makes up for any lack, and that is our sense of gratitude to anyone who has done good to us. We have learned a great deal from them all, through both good and bad, and I hope they have learned something from us: some good and some bad, but all part of life's wonderful learning experience.

**The President:** I thank the President of the Democratic Republic of Timor-Leste for the kind words he spoke about my country, and in particular about the late President Nyerere, the founder of the Tanzanian nation, and about my compatriot Ambassador Salim Ahmed Salim, who was President of the Security Council exactly 30 years ago, in January 1976, a month after he received East Timor's Foreign Minister in December 1975.

**Mr. Tachie-Menson** (Ghana): I wish first of all to welcome the President of Timor-Leste, His Excellency Mr. Xanana Gusmão. We are very grateful to him for his address to the Council. Our thanks go also to the Special Representative of the Secretary-General for his briefing.

My delegation is impressed by what has been achieved with regard to national reconstruction in Timor-Leste since the election of the President in 2002. Timor-Leste was a country that lost an estimated 100,000 to 180,000 people in the brutal internal conflict that took place between 1975 and 1999. From the ashes of that conflict has arisen a new State with an accountable Government, which, in partnership with the international community, is gradually building State institutions from the local to the national levels. Criminal law and civil procedures are being strengthened through the enactment of new legislation. Various capacity-building programmes are in place to revitalize the bureaucracy and the institutions responsible for governance and human rights. The police services are also being rebuilt. Those institutional reforms and renewal programmes need to be continued.

The present situation of calm and stability is a manifestation of the effectiveness of the existing partnership. What is happening in Timor-Leste is a shining example of what can be achieved through post-conflict peacebuilding. In that regard, we wish to recommend an increase in assistance for the legislative and judicial sectors in view of the critical role that institutions in those spheres have to play in the entrenchment and sustainability of good governance and the rule of law. Similarly, we align ourselves with the recommendation made by the Secretary-General in his report (S/2006/24) regarding the request for support from the international community for the general elections to be held in 2007, which will be an important milestone in the consolidation of the system of democratic governance.

That Timor-Leste has taken its proper place and role in the international community is a tribute not only to the resilience and determination of the Government and the people of Timor-Leste but also to the efforts of the United Nations Office in Timor-Leste (UNOTIL) and to the international donor community, including the financial institutions. On that point, my delegation is of the opinion that an international presence and international support are necessary to sustain the process of nation-building. We therefore support the request of the Government of Timor-Leste that the United Nations consider establishing a political office to continue the work of UNOTIL after the expiration of its mandate.

While noting the achievements that have been made so far, we cannot overlook a very sensitive issue confronting not only the Government and the people of Timor-Leste but also the international community at large: the report of the Commission for Reception, Truth and Reconciliation. My delegation condemns violence and gross violations of human rights. We feel, however, that, in pursuing justice, the Government of Timor-Leste and the Government of Indonesia should be encouraged to engage in constructive dialogue to find a way forward on this issue.

**Mr. Faaborg-Andersen** (Denmark): I should like to thank the Special Representative of the Secretary-General, Mr. Sukehiro Hasegawa, for his briefing and President Gusmão for his important statement and for his presence here today.

Denmark associates itself fully with the statement to be made shortly by the representative of Austria on behalf of the European Union.

The situation in Timor-Leste has improved much in recent years. The security situation remains generally calm and stable. Local elections have recently been held in a peaceful manner and with a high voter turnout. The capacity of the Timorese Government institutions and security forces has improved. In addition, the stage is being set for the smooth transfer from the United Nations Mission in Timor-Leste (UNOTIL) to a sustainable development framework. The next major step will be the upcoming parliamentary and presidential elections.

However, the situation in Timor-Leste, a nascent democracy, remains fragile, and the country continues to rely on international support. As a result, we support Timor-Leste's request for a continued political United Nations presence — although the presence should be small, so as to leave the Timorese in the driver's seat.

We welcome the presentation by President Gusmão of the report of the Commission for Reception, Truth and Reconciliation to the Secretary-General last Friday. It is our hope that the report will soon be officially published so as to help the Timorese people to gain clarity about their past. The scars of the past will not completely heal until the truth has been revealed and all of those responsible for past atrocities have been brought to justice. Impunity must not be an option. In this regard, Denmark is concerned about the provisions on amnesty contained in the statute of the bilateral Commission on Truth and Friendship. In addition, the safety and security of victims and witnesses who have testified in the past must be protected at all times.

We look forward to the Secretary-General's report on the issue of justice and reconciliation, taking into account the report of the Commission of Experts, as well as the views expressed by Indonesia and Timor-Leste. The report should also benefit from the report of the Commission for Reception, Truth and Reconciliation and could provide useful guidance to the Council for the post-UNOTIL period.

Finally, we welcome the signing on 12 January of an oil and gas deal between Australia and Timor-Leste, which will provide a financial boost to Timor-Leste's development efforts. In view of their traumatic past, the Timorese people certainly deserve the fruits of development and democracy, and we wish President Gusmão and the Timorese people every success in continuing to move the country forward.

**Mr. Mayoral** (Argentina) (*spoke in Spanish*): I should like, first of all, to welcome the President of Timor-Leste, Mr. Xanana Gusmão, and the Foreign Minister of that country, our friend Mr. José Ramos-Horta, to the Council. We would like to thank President Gusmão for his important briefing, of which we have taken careful note. We assure him that Argentina will take into account the position of his Government during the forthcoming negotiations on matters relating to his country and in the Security Council, in particular with regard to the establishment of a United Nations political office in Timor-Leste.

I would also like to thank the Special Representative of the Secretary-General, Mr. Sukehiro Hasegawa, for his introduction of the most recent report of the Secretary-General on the question. We would like to commend Mr. Hasegawa and the entire team of the United Nations Mission in Timor-Leste (UNOTIL) for their work. We welcome the fact that UNOTIL has continued to help to strengthen the Timorese institutions and to transfer expertise with a view to the development of endogenous capacity in the areas of public administration, justice, human rights, policing and other matters. We believe that those advances will help to ensure the smooth transition to a framework of assistance for sustainable development in Timor-Leste.

In spite of all of the progress that has been made, we should note that Timor-Leste still requires assistance. It remains a poor country, and there are still a number of areas with regard to which it will continue to require international assistance beyond May 2006. Although certain international agencies and bilateral donors have been identified with a view to providing support in some of those areas, as the Secretary-General notes in his report (S/2006/24), some key aspects have not been covered. My country believes that we must keep all options open until May, since if we cannot identify bilateral or multilateral donors to assist Timor-Leste, the United Nations will have to do so directly.

The question of international assistance for parliamentary and presidential elections in 2007 is also very important in that connection. In this regard, we take note of the letter from Prime Minister Alkatiri concerning the establishment of a special political office. In principle, by delegation supports that. We hope that in his next report the Secretary-General will present specific proposals for the mandate and composition of such an office.

We welcome the fact that relations between Timor-Leste and Indonesia have continued to improve and that the parties have made progress in the demarcation of the land border. We hope that progress will continue in that area and that a border management agreement will be concluded as soon as possible.

We also welcome the signing of an agreement between Timor-Leste and Australia concerning the sharing of resources from the Timor Sea. We hope that it will be implemented for the benefit of the Timorese people.

Lastly, we would like to emphasize that, as is well known, we attach great importance to human rights issues. President Gusmão has transmitted to the Secretary-General the report of the Commission for Reception, Truth and Reconciliation, which concerns abuses committed between 1974 and 1999. We would like to know what sort of action is envisaged in response to the conclusions and recommendations of the report and whether there are areas in which the United Nations could assist. We also take note of the activities undertaken by the bilateral Commission for Truth and Friendship established by Timor-Leste and Indonesia, and we hope that the utmost efforts will be made in that regard to establish the truth about human rights violations. In that context, we look forward to receiving a report from the Secretary-General soon so that we can consider practical ways and means of administering justice that properly take into account the rights of the victims of human rights violations and of their family members.

**Mr. Dolgov** (Russian Federation) (*spoke in Russian*): I should like, first of all, to express condolences to the people and the Government of Guatemala in the light of the report, which we received this morning, about the deaths of Guatemalan peacekeepers in the Democratic Republic of the Congo. That tragic event reaffirms that we need to help countries to resolve conflict in that region and elsewhere. We must pay constant attention to the safety and security of all United Nations peacekeepers.

The Russian delegation welcomes the participation in this Council meeting of the President and of the Foreign Minister of Timor-Leste. We were pleased to hear the statement made by President Xanana Gusmão. We would also like to thank the Special Representative of the Secretary-General, Mr. Hasegawa, for introducing the progress report of the Secretary-General on the United Nations Office in Timor-Leste (UNOTIL). We thank him for his informative briefing on developments in the country.

Russia welcomes the steady progress made in building Timor-Leste's statehood. We are pleased at the successful holding of local elections, the strengthening of the country's legislative framework and the enhancement of the professional skills of members of the law enforcement services. We welcome the attention that Timor-Leste is devoting to resolving the problems that still exist in that area. However, we realize that the capacity of the State's organs is not yet strong enough and that the country remains somewhat dependent in that regard. Timor-Leste still requires effective international assistance to provide security, stability and sustainable development; indeed, that point was made today by Mr. Gusmão.

We view as positive the development of cooperation between Timor-Leste and Indonesia and Australia, and we welcome the progress made in resolving the issue of delineating the border between Timor-Leste and Indonesia. We take note of the great importance of the bilateral Commission for Truth and Friendship. We hope that the Commission will successfully carry out its duties and that it will help to further strengthen the relationship between Indonesia and Timor-Leste, including in the area of resolving issues related to human rights violations in Timor-Leste.

We believe that the activities of UNOTIL are important, and we commend its staff for their efforts. We are sure that the Office's mandate will be fully carried out by May 2006. However, given the need to ensure the successful organization of presidential and parliamentary elections in 2007, the Russian delegation is prepared to engage in a constructive Security Council discussion of possible ways to provide the Timorese with appropriate United Nations support

following the completion of UNOTIL's mandate, on 20 May this year.

We have taken careful note of the wishes expressed here by the President of Timor-Leste.

**Mr. Al-Nasser** (Qatar) (spoke in Arabic): I would like to take this opportunity to welcome His Excellency Mr. Kay Rala Xanana Gusmão, President of the Democratic Republic of Timor-Leste, to this Security Council meeting and to thank Mr. Sukehiro Hasegawa, Special Representative of the Secretary-General for Timor-Leste and Head of Mission of the United Nations Office in Timor-Leste (UNOTIL), for his important briefing. I thank the Secretary-General for his comprehensive progress report on the United Nations Office in Timor-Leste for the period 10 August 2005 to 15 January 2006 (S/2006/24).

I congratulate the people and the Government of Timor-Leste on the progress they have made in achieving peace and stability and on their dedicated efforts to strengthen democracy and build Government institutions in order to bring about justice and promote respect for human rights. In addition, I congratulate the State of Timor-Leste and its neighbour Indonesia on their serious efforts to normalize their relations — a process being carried out with distinction through a mutual demonstration of good faith. We salute the two countries' courageous decision to establish the bilateral Commission for Truth and Friendship and to sign the Provisional Agreement on the Borderline between Timor-Leste and Indonesia. A ceremony held at the border village of Motaʻain marked the placement of the first marker along their common land border. We hope that efforts will continue to demarcate the 96 per cent of the land border agreed to in the Provisional Agreement on the Borderline, signed by the Foreign Ministers of the two countries in April 2005.

Because of that development, the general situation has remained calm, except for a few isolated instances of a kind that could normally occur along any stretch of common land border between States. We note with appreciation the quick response by the Timorese national police following incursions by members of former militias, which led to a number of arrests. That response was reassuring to the Timorese living near border areas.

We pay tribute to Timor-Leste and commend the progress it has made to date. In addition, we cannot fail to commend the Security Council for the resolutions it has adopted to support the State in its efforts. Among those resolutions, one stands out: resolution 1599 (2005) of 28 April 2005, which established the United Nations political mission — UNOTIL — with a clear and enabling mandate for one year, ending on 20 May 2006. Here, we recall that it is essential that Timor-Leste have a permanent, high-level United Nations presence in the form of an office that will plan for the smooth transition to a sustainable framework for development assistance. Through such a framework, the United Nations will assist the country in its development efforts, in establishing general policies and in coordinating assistance from the donor community. Special attention will be devoted to building the State's institutional capacity and to promoting interaction among the State, civil society organizations and the private sector in the fields of education, health and human resources development.

We note with satisfaction that local elections were held in a peaceful and orderly manner and that several political parties participated in them by fielding candidates, thus enabling democracy to take root in the country. We also note with interest that presidential and parliamentary elections will be held in 2007 and that Timor-Leste is looking to the United Nations and the international community for effective assistance in that area.

The Timorese are resolved to build a solid democracy and truly believe in good governance, the rule of law, transparency and accountability. We hope that the United Nations and its system of organizations, including the specialized agencies, as well as the Bretton Woods institutions and the international community, will be able to support Timor-Leste's efforts and to provide the country with the necessary financial, human and logistical assistance. Given that presidential and parliamentary elections will be held for the first time since Timor-Leste assumed independence, and that the United Nations Mission of Support in East Timor was downsized to become a United Nations special political mission, we hope that every effort will be made to organize the elections in a competent, fair and efficient manner.

In conclusion, we commend Timor-Leste and Indonesia for the wisdom that they both demonstrated when they agreed to establish the Commission for Reception, Truth and Reconciliation, which worked uninterruptedly for more than five years. The Commission submitted its report to President Gusmão,

who in turn submitted it to the National Parliament on 28 November 2005 and to Prime Minister Alkatiri on 30 November. The State of Qatar welcomes the fact that the report was officially submitted to Timor-Leste's National Parliament and subsequently to the Secretary-General. We agree with the Secretary-General that it is an important milestone in the search for truth and reconciliation. If national reconciliation is to be achieved, the truth must be brought out.

**Mr. Burian** (Slovakia): First of all, I would like to thank Mr. Sukehiro Hasegawa, Special Representative of the Secretary-General for Timor-Leste, for his comprehensive briefing. I join other Council members in welcoming His Excellency Mr. Xanana Gusmão, President of the Democratic Republic of Timor-Leste, to our meeting.

Slovakia highly values President Gusmão's personal contribution to the process of rebuilding and reconciliation and of healing the wounds of Timor-Leste after his nation suffered some of the worst atrocities of modern times. I can assure him of our continued commitment and our support for the successful transition of Timor-Leste.

We share the evaluation of the situation and the observations contained in the progress report of the Secretary-General on the United Nations Office in Timor-Leste (UNOTIL) (S/2006/24). In that connection, we are pleased to note that Timor-Leste is making steady and tangible achievements in reconstruction and State-building.

Despite remarkable progress in the establishment of democratic institutions, there are still formidable challenges and tasks that need to be addressed in order to assist the country in its recovery from conflict and in developing its capacities to achieve sustainable peace and development. During the past three years, the Government of Timor-Leste has proved that it is capable of assuming ownership and responsibility for resolving problems of transition. The lack of human and financial resources, as well as insufficient infrastructure and administrative capacities at this stage, however, require the continued engagement and assistance of the international community. In that context, we commend UNOTIL for its activities in supporting the development of critical State institutions in Timor-Leste, including the police and the judiciary.

There is no doubt that the key milestone on the road of transition will be the presidential and parliamentary elections scheduled for May 2007. We believe that the establishment of a solid legal framework governing the elections will play a crucial role in providing a level playing field for all and in ensuring a transparent and credible outcome. We support the Secretary-General's recommendation that an international political presence be retained in Timor-Leste until the end of the electoral process in order to better provide all the guidelines and support necessary for the preparation and successful outcome of the elections. In that connection, we think that the proposal made by the President of Timor-Leste, explained in detail in the letter from the Prime Minister of Timor-Leste addressed to the Secretary-General (S/2006/191), to create a smaller special United Nations political office after the mandate of UNOTIL expires in May 2006, deserves further serious consideration.

Recent incidents on the border with Indonesia underline the necessity to address the issues of proper training for border police and of finalizing the process of border demarcation. We urge both Timor-Leste and Indonesia to continue working out measures for strengthening confidence in the border area. In that connection, we welcome the development of contacts between the Border Patrol Unit in Timor-Leste and its Indonesian counterpart.

We welcome the efforts of the Governments of Timor-Leste and Indonesia to develop good-neighbourly relations between their countries and to build stability and confidence through a process of reconciliation. We commend the establishment of the bilateral Commission for Truth and Friendship, which is trying to achieve reconciliation and to define ways to overcome the burden of the past.

At the same time, reconciliation must not in any way mean that those who committed the most serious crimes of rape and murder escape unpunished. In our view, by overlooking the wrongs of the past in this area, the international community would set a very dangerous precedent. It would also send the wrong signal to those who are committing or planning atrocities in other parts of the world. We must break the cycle of impunity and bring the perpetrators to justice. The former United Nations Serious Crimes Unit and the Commission for Reception, Truth and Reconciliation documented thousands of instances of torture, rape and execution, which must be fully investigated and appropriately prosecuted.

In conclusion, I would like to express our appreciation for the excellent work done by the Special Representative of the Secretary-General, Mr. Hasegawa, and the UNOTIL personnel. We highly commend them for their commitment and for the progress made in implementing the key tasks mandated by the Security Council. We are convinced that the time is approaching when the issue of Timor-Leste will graduate from the agenda of the Security Council and will instead be transferred, as a successful case of a resolved conflict, to the Peacebuilding Commission and other United Nations institutions to further and more appropriately assist the Government of Timor-Leste in completing the process of peacebuilding and transition.

**Mr. De La Sablière** (France) (*spoke in French*): I, too, would first wish to welcome the President of Timor-Leste, without whom none of the spectacular progress we are witnessing today in Timor-Leste would have been possible.

The Permanent Representative of Austria will soon be making a statement on behalf of the presidency of the European Union, and I fully associate myself with that statement. I would like to make a few brief comments.

First, I am delighted at the impressive progress made by Timor-Leste four years after it gained independence. State institutions have been created and continue to gain strength. Democracy is taking root. Observance of human rights is increasing. The country is developing its cooperation and enhancing its international outreach, particularly in Asia and in the South Pacific. That success belongs first and foremost to the Timorese. It is also the outcome of the commitment of the international community and, in particular, of the United Nations. Here, I should like to thank the Special Representative of the Secretary-General, Mr. Sukehiro Hasegawa.

Secondly, I should also like to note with satisfaction the strengthening ties between Timor-Leste and its neighbours, particularly Indonesia. The settlement of border issues seems to be on track, despite some incidents, which would be of concern if they recur. This situation, in any event, requires continued vigilance.

Thirdly, stabilization is today well under way. But we believe that major efforts are still needed to make this stabilization durable in the run-up to the general elections scheduled for 2007. As the Secretary-General has emphasized, major bilateral and multilateral efforts will still be necessary following the completion of the mandate of the United Nations Office in Timor-Leste (UNOTIL), which expires in May 2006. We encourage the handover of some UNOTIL activities to competent United Nations agencies or to other organizations that are present in the field, as well as to bilateral donors.

We have taken note of the request of the Timorese authorities that a United Nations political structure be maintained following the end of UNOTIL's mandate. It seems to us that, given the newness of Timorese institutions and the persistence of fragility in some elements of the stabilization process, that request is perfectly legitimate. The structure, in any event, needs to be appropriate and functional. We would be grateful to the Secretary-General if he could make some proposals about this in his next report.

We would also like to stress the importance of national reconciliation for the stabilization of Timor-Leste and its importance as an example for the entire region. This reconciliation should not be based on impunity, since justice alone can make it possible to establish lasting peace. We note here that President Gusmão has submitted to the Secretary-General the report of the Commission for Reception, Truth and Reconciliation on human rights violations in Timor-Leste between 1974 and 1999.

We also note that the Commission of Experts appointed by the Secretary-General has identified deficiencies in the manner that prosecutions have been conducted to date against those who committed serious violations of human rights in 1999. We therefore look forward to the Secretary-General's recommendations on that matter, especially his recommendations concerning the bilateral Commission for Truth and Friendship, on the basis of the report of the Commission of Experts and the views expressed by Indonesia and Timor-Leste.

**Mr. Vassilakis** (Greece): Like others, I too would like to welcome the presence among us of the President of Timor-Leste. I would also like to thank him for his thoughtful statement, which I think should make others think as well. I would also like to thank Mr. Sukehiro Hasegawa for his introduction of the Secretary-General's report (S/2006/24) and for his briefing.

Greece fully aligns itself with the statement to be delivered shortly by the Permanent Representative of

Austria on behalf of the European Union. I shall therefore limit myself to some additional comments.

We are all encouraged by the significant positive developments described in the report of the Secretary-General. It seems that sufficient progress has been made towards further developing the capacity of Timor-Leste's democratic State institutions in the justice, human rights and national police sectors. The report of the Commission for Reception, Truth and Reconciliation, which President Gusmão presented to the Secretary-General last Friday, is just one such example of that progress.

The successful holding and completion of local elections, the preparations for the presidential and parliamentary elections to be held in 2007 and the adoption of key legislation demonstrate that the process of creating a functioning democracy is on the right track, in a country that gained its independence just a few years ago.

In addition, we very much appreciate the improving relations between Timor-Leste and Indonesia, which led to the establishment of the bilateral Commission for Truth and Friendship, as well as the progress made in the negotiations to finalize the delineation of the remaining 4 per cent of the land border between the two countries. That is a very good example that should also be taken into consideration in other conflict areas. The establishment and work of the Commission for Truth and Friendship indicate the resolve of both countries to achieve accountability for crimes and human rights violations committed in 1999. We recognize the significance of the entire endeavour and hope to see tangible results in the fight against impunity for those serious crimes, something that is of the utmost importance for the Timorese people.

We hope that the report of the Secretary-General on justice and reconciliation for Timor-Leste, including a practical and feasible approach as requested by the Security Council, will be an important additional contribution to that end. It is to be hoped that the entire process will allow the two peoples both to face the crimes of the past and to promote reconciliation, which will pave the way to a better future for them and for the entire area.

Greece welcomes the signing, a few days ago, of the agreement with Australia on equally sharing revenues from the natural resources of the Timor Sea. We consider that the agreement will greatly contribute to much-needed sustainable economic development and that it will enable Timor-Leste to attain the Millennium Development Goals. There are of course still major challenges to be addressed, especially as regards the difficult economic situation in the country. In that respect, the work of various United Nations specialized agencies — such as the World Bank, the United Nations Development Programme and the International Monetary Fund — must also be commended.

The assistance of the United Nations Office in Timor-Leste (UNOTIL) to the Government and people of Timor-Leste has been invaluable. UNOTIL advisers have demonstrated ability, dedication and effectiveness in transferring knowledge and skills, coordinating various activities and settling border incidents by facilitating communication and contacts between Timorese and Indonesian border-patrol forces.

The mandate of UNOTIL will end on 20 May 2006. We are pleased to note that the Secretary-General's report refers to the preparations under way for the successful transfer of certain tasks to other international development actors. The Secretary-General has also identified a number of serious remaining challenges in the areas of justice, finance and border control. To those one could add the preparations for and holding of the 2007 presidential and parliamentary elections.

In that context, the recent request made of the Secretary-General by Timor-Leste's Prime Minister to establish a special United Nations political office deserves our particular attention. We believe that providing further United Nations assistance through that well-coordinated format is suitable in the current circumstances. We ought to consolidate the achievements in Timor-Leste, and not compromise their success, at this crucial stage. We will favourably examine the proposals to be submitted by the Secretary-General.

I also wish to join previous speakers who have called upon the United Nations and the international community to continue their presence and to assist Timor-Leste in achieving full self-reliance in the near future. Greece will continue to actively participate in all relevant bilateral and European Union efforts and activities.

Finally, I should like to extend to the President of Timor-Leste my Government's best wishes for the

speedy fulfilment of all the goals of the Timorese people for the stable and prosperous future they deserve.

**Mr. Thomson** (United Kingdom): My delegation fully subscribes to the statement to be delivered shortly by the representative of Austria.

We are delighted to join our Council colleagues in welcoming President Gusmão and Foreign Minister Ramos-Horta to the Security Council today. Their presence provides us an opportunity to pay tribute to them personally, and through them to the people of Timor-Leste, for all their remarkable achievements over the past few years in building a stable, peaceful and democratic Timor-Leste.

My delegation recognizes too the very important role that has been played over the past few years by the United Nations — most recently by the United Nations Office in Timor-Leste (UNOTIL) under the leadership of Sukehiro Hasegawa. We offer our thanks to him and his team for their efforts. We also thank him for his briefing to us today.

In the final few months of UNOTIL's mandate, we hope to see a concerted effort to fulfil UNOTIL's remit — for example, in the training of, and assistance to, the Border Patrol Unit.

We welcome the advances that have been achieved during the current reporting period. We are encouraged that progress has been made in establishing effective democratic governance, in adopting key legislation and in security matters — for example, in the negotiations on the unresolved border with Indonesia.

We are also pleased to see the completion of the work of the Commission for Reception, Truth and Reconciliation through the submission of its report to the President and now to the Secretary-General. The Commission has done important and innovative work in revealing the truth of past human rights abuses and in fostering reconciliation. In that context, we look forward to receiving the Secretary-General's report on justice and reconciliation for Timor-Leste.

But of course, further progress remains essential in key areas, in particular the establishment of sustainable, robust democracy and the rule of law. The presidential elections in 2007 will be a major challenge and a key process for embedding democratic processes and ensuring the country's future stability. Clearly, the continuing support of the international community will be crucial. We need to consider carefully the most appropriate means of providing that support in the various sectors where it is still required. The Timorese people and Government also, of course, must take responsibility as far as is possible.

That said, it appears that there could be a case for a small United Nations political mission with a clearly defined role to follow on from UNOTIL to help the Timorese address the gaps and coordinate international assistance. It would be helpful if the Secretariat could do some early thinking and produce proposals for us before the end of UNOTIL's mandate on what might be most appropriate. We are meanwhile carefully studying the proposals in Prime Minister Alkatiri's letter of 17 January to the Secretary-General.

**Mr. De Rivero** (Peru) (*spoke in Spanish*): My country welcomes the President of Timor-Leste, Mr. Xanana Gusmão, and Foreign Minister José Ramos-Horta, and thanks President Gusmão for his comprehensive and, above all, candid briefing on the situation in his country.

We also thank Mr. Sukehiro Hasegawa, the Special Representative of the Secretary-General for Timor-Leste, for his important work at the head of the United Nations Office in Timor-Leste (UNOTIL).

In 2005, Timor-Leste continued to progress towards effective democratic governance in spite of difficulties in the judicial and financial spheres. Local elections took place with broad civic participation and the rule of law was strengthened through Parliament's adoption of the penal code, the civil procedure code and other important legislation. Furthermore, preparations are now under way for parliamentary and presidential elections scheduled for 2007.

In the area of international relations, Timor-Leste ratified important human rights agreements and made significant progress in the demarcation of its land border with Indonesia. The bilateral Commission for Truth and Friendship established with Indonesia has now begun its work. Timor-Leste also signed an agreement with Australia on the sharing of natural resources from the Timor Sea, which will provide resources to improve its fragile socio-economic situation.

Despite such domestic and external political progress, there are still few prospects for the economic

and financial viability of Timor-Leste, which continues to have one of the lowest per capita incomes — some $400 a year — in the world. That is why the most important undertaking for the future is to make Timor-Leste's economy viable. Every effort must be made to find more development partners for Timor-Leste and to ensure that the conference of partners in April secures greater resources.

We note with appreciation the transmission by President Gusmão to the Secretary-General on 20 January of the report of the Commission for Reception, Truth and Reconciliation on the violence and human rights violations perpetrated in Timor-Leste between 1974 and 1999. We hope that the Secretary-General will issue an opinion, bearing especially in mind the statement made by an eminent university professor, human rights champion and scholar of truth commissions to the effect that the purpose of such commissions is not to uncover the entire truth — which is virtually impossible, given human nature — but to bring to light that which was kept hidden from our knowledge in order to ensure justice and reconciliation. I hope that the Secretary-General will approach this matter in that spirit.

Moreover, we also note with appreciation the activities undertaken since August 2005 of the bilateral Commission for Truth and Friendship established by Timor-Leste and Indonesia.

Peru agrees that UNOTIL's mandate should be extended beyond May. We urge Timor-Leste's development partners to do their utmost to ensure that the new Government to be elected democratically in 2007 will inherit an economically viable country that can sustain Timor-Leste's progress towards becoming an increasingly democratic society.

**Mr. Oshima** (Japan): Let me first express our thanks to you, Sir, for convening this public meeting on Timor-Leste at an important juncture, as the end of the mandate of the United Nations Office in Timor-Leste (UNOTIL) draws near in a few months time. We thank Special Representative Hasegawa for his comprehensive briefing on the latest developments in the country. My delegation highly appreciates the presence in the Chamber of President Xanana Gusmão and Foreign Minister José Ramos-Horta, and particularly thanks President Gusmão for his significant statement.

Japan notes with satisfaction the tangible achievements and encouraging progress that continue to be made in Timor-Leste in its peace-building and nation-building efforts, especially in the implementation of the three programmes mandated by the Security Council: the development of critical State institutions, the development of police, and training in the field of democratic governance and human rights. We also welcome the progress being made in the preparations for the transfer of the functions of UNOTIL to the Government of Timor-Leste and various development partners as the country moves towards the phase of sustainable development.

We commend Special Representative Hasegawa and his team for their hard work and pay tribute to those advisers and experts working on the ground and the many organizations and groups involved for all the valuable contributions they have made, working in close partnership with the Timor-Leste Government, its institutions and its people. We have high expectations that they will push on with their efforts as the mission's mandate approaches its end in May, so that those gains will be consolidated and made sustainable to the maximum extent possible.

I would like, in passing, to note just one thing in that connection. The Secretary-General's report mentions, in reference to programme II of UNOTIL's support for the development of the Timor-Leste police, the fact that 10 Timorese national police officers have recently been deployed to the United Nations Interim Administration Mission in Kosovo. I consider this a remarkable thing, which shows the degree of success of this programme. At the same time, the fact that, in our world, a nation assisted in times of need can in turn participate in assisting others in their time of need demonstrates the true international cooperative spirit. This is just a small episode, but I think that its significance is, nevertheless, remarkable.

We are also encouraged to see steady, remarkable improvements in Timor-Leste's relations with neighbouring countries. Occasional incidents along the border with Indonesia are resolved through dialogue, backed up by the improved bilateral relationship between the two countries. We hope that the remaining work involved in the delineation of the land border with Indonesia will be completed soon.

We also welcome the recent agreement reached between Timor-Leste and Australia over the sharing of

the revenues from oil and gas development in the Timor Sea. With the Petroleum Fund established to ensure the prudent and wise use of income from natural resources, we hope that this will provide an important boost to the development of the Timorese economy and society.

Japan underscores the necessity of ensuring that the United Nations and the international community continue to provide the appropriate and timely support which is still needed in Timor-Leste and of adapting that support to the country's changing needs and requirements. Timor-Leste has moved from conflict to peacekeeping to peacebuilding, and, as the country has gone through those phases, the United Nations presence and assistance to Timor-Leste has evolved from the United Nations Mission in East Timor (UNAMET) to the United Nations Transitional Administration in East Timor (UNTAET) to the United Nations Mission of Support in East Timor (UNMISET), and finally to UNOTIL, to meet the changing needs of the country, and it has done so, on the whole, quite successfully. We owe it to ourselves, as well as to the Government and the people of Timor-Leste, to see to it that the record of this success story remains a cause for pride in the annals of United Nations history.

With that in mind, and with regard to the question of the future engagement of the United Nations after the mandate of UNOTIL expires, my Government has taken note of the request of the Timor-Leste Government to retain a United Nations political presence for a certain period of time, particularly the request for international assistance in connection with the upcoming general elections in 2007 and the retention of some civilian advisers. In making that decision, we should study carefully the recommendations of the United Nations electoral assistance needs assessment mission.

My delegation will certainly study carefully the request made by the Timor-Leste Government in considering the modalities of United Nations assistance in the post-UNOTIL period, with an objective assessment of the situation on the ground, including in the area of security, while also taking into account the views of UNOTIL, other actors on the ground and the key countries concerned.

Finally, the issue of the serious crimes that took place in Timor-Leste must also be addressed. My Government is of the view that the spirit that prompted the joint establishment of the Commission of Truth and Friendship by Timor-Leste and Indonesia should be respected, and we hope that the Commission will produce results that meet its own aims as well as the expectations of the international community.

The Security Council requested the Secretary-General last September to provide his views on justice and reconciliation for Timor-Leste, adopting a practical, realistic approach to this issue and taking into account the views of the two countries. We believe that this issue can be resolved through the productive engagement of all parties concerned. The statement we heard from the President this morning on this very issue should be an important guide in the handling of this matter.

Before concluding, my delegation wishes to pay high tribute to the leadership of the Timor-Leste Government, to President Gusmão and Foreign Minister Ramos-Horta, which has enabled the country to make the sort of progress towards peace, security and development that we have seen so far.

As a friend of Timor-Leste in the region, Japan has actively participated in international efforts to help Timor-Leste maintain peace and consolidate the gains of peace, through UNMISET and UNOTIL as well as through other multilateral and bilateral frameworks. The introduction of the "koban", or police mini-station, system to the police system of Timor-Leste, and the transfer of skills related to the disposal of undetonated bombs are recent examples of our assistance efforts. Japan will spare no effort in continuing its support for Timor-Leste's future endeavours aimed at nation-building and sustainable development.

**Mr. Wang Guangya** (China) (*spoke in Chinese*): The Chinese delegation bids a warm welcome to President Xanana Gusmão, and we welcome his important statement. We would also like to thank Mr. Hasegawa, the Special Representative of the Secretary-General, for his presence at this meeting and for his briefing.

China is very pleased to note that, thanks to the outstanding leadership of the President of Timor-Leste, the situation in the country has remained calm, that the Government has, step by step, strengthened its capacity to run the country, that the rule of law has also been gradually strengthened, and that Timor-Leste's

relations with neighbouring States have also been enhanced.

Here we would like warmly to congratulate the Timorese Government and people on the achievements they have made in their nation-building undertakings. I should like to express our appreciation to the United Nations Office in Timor-Leste (UNOTIL) for its work in that respect. At the same time, we should realize also that Timor-Leste, as one of the poorest countries in the world, has little infrastructure to start with and that the road towards nation-building has not been easy. The question of how to continue with the success story of Timor-Leste is not only the unshirkable responsibility of the international community but also merits serious consideration by the Council.

In that respect, I believe that, first, UNOTIL should, within its remaining mandate, focus more closely on the transfer of skills and knowledge, with a view to enhancing capacity-building in the country, and that it should also continue to cooperate with international and bilateral partners in the process of making adequate and careful arrangements aimed at ensuring the continued functioning of State institutions following UNOTIL's withdrawal.

Secondly, the Secretary-General points out in his report that the presidential and parliamentary elections in 2007 will represent a major challenge to the country. In that respect, the Timorese Government has asked the United Nations to consider the establishment of a special political office to help ensure the successful holding of the elections.

China expresses its understanding of and agreement with such a request, and we call on the Council seriously to consider that request and reach agreement on the relevant arrangements in a timely manner so as to ensure the lasting stability and development of the country.

Thirdly, properly addressing the outstanding problems with the country's neighbours will not only create a positive environment for its long-term development but also contribute significantly to regional peace and stability.

In that respect, the Timorese leadership under President Gusmão has demonstrated exceptional political wisdom and courage by taking strategic decisions with foresight. We would stress our admiration and appreciation, and we appeal for the support and respect of the international community.

In conclusion, I urge donors, the United Nations system and international financial institutions to continue to devote attention to Timor-Leste and to provide it with generous help, so that it can embark on the path of sustainable development. China will, as always, support the country in its efforts related to independence and nation-building. We will develop trade and economic cooperation with it and continue our help to the extent of our ability.

**Mr. Okio** (Congo) (*spoke in French*): I would like to begin by welcoming His Excellency Mr. Xanana Gusmão, hero of the independence of Timor-Leste, President of the Democratic Republic of Timor-Leste. I remind him that my country, through its permanent representation in New York, took part in the celebrations of the first hours of dearly bought independence, sharing the joy of the Timorese nation. We still cherish the memory of that jubilant crowd. Thus, we have listened with great attention to President Gusmão's briefing to the Council, and we appreciate all that has been achieved in slightly less than four years.

My delegation also listened with interest to the briefing by the Special Representative of the Secretary-General, Mr. Sukehiro Hasegawa, concerning the progress report of the Secretary-General on the United Nations Office in Timor-Leste for the period 16 August 2005 to 13 January 2006 (S/2006/24). The report struck my delegation in the following respects.

My delegation notes with satisfaction that despite some residual insecurity, the overall situation in Timor-Leste has improved, thanks to the progress made in establishing effective democracy in the country. That progress is marked by the successful holding of local elections, together with the strengthening of the juridical framework through the adoption of key provisions and greater respect for human rights on the part of the police.

My delegation believes that what is occurring in Timor-Leste is a hopeful and encouraging sign. That was attested to by the presentation to President Xanana Gusmão on 31 October 2005 — after only five years of work — of the final report of the Commission for Reception, Truth and Reconciliation, which was responsible for considering violations of human rights in Timor-Leste between 1974 and 1999. That report, a

copy of which was transmitted to the Secretary-General last Friday, will, we hope, make it possible to establish the truth of that grim chapter of the history of Timor-Leste in order to assist with national reconciliation while ensuring that the perpetrators of atrocities are punished and that reparation is granted to the victims.

Moreover, the preparation of legislation concerning veterans — which would, among other things, determine who could claim the status of former combatant and what rights and benefits would be given to veterans — together with its current consideration by a special national parliamentary commission, also reflects the resolve to settle the accounts of the past. My delegation therefore is anxious to see the final adoption of that legislation.

My delegation also notes with satisfaction the improvement in the good neighbourly relations between Timor-Leste and its neighbours Indonesia and Australia. The settlement of the border dispute with Indonesia is most welcome. However, my delegation would urge the two parties to complete negotiations on the demarcation on the one per cent of the border that is unresolved so that a final agreement can be reached.

We note the commencement in August 2005 of the Commission for Truth and Friendship set up by those two countries, and we expect that Commission to resolve the outstanding disputes of the past in order to strengthen the ties of friendship and cooperation. To that end, a basis for trust must be established between the two countries. For that reason, we stress that the incident of 6 January 2006 — on a border that can rightly be considered sensitive — which caused the deaths of three persons, should be investigated promptly. We understand the difficulties on the ground involving control in a young nation, but we encourage the Timorese Government to see that the investigation is rapidly concluded.

My delegation also welcomes the signing on 12 January 2006 of an agreement between Timor-Leste and Australia on the sharing of revenues derived from the exploitation of natural resources in the Timor Sea.

All of the progress has been made possible through the resolve of the local authorities, thanks to the determined support of the United Nations and the effective work of the United Nations Office in Timor-Leste (UNOTIL) in carrying out the three programmes mandated by the Security Council. Those programmes involve support for the establishment of essential State institutions, for the development of the police force and strengthening the Border Patrol Unit, and for respect for the rules of democratic governance and human rights.

My delegation believes that much has been achieved in the country, thanks to the support of the international community. But we must not flag in those efforts because, like a child taking its first steps, Timor-Leste still needs the support of the international community. It is thus the responsibility of the United Nations and other bilateral and multilateral partners to continue to support Timor-Leste in all areas so that it may commit itself with determination to the path towards progress.

Timor-Leste still faces some challenges, including the holding in 2007 of presidential and parliamentary elections, for the first time in the country since independence. My delegation thus calls for the United Nations and various bilateral and multilateral partners with proven experience in the preparation and conduct of elections to provide support to help the country build on its achievements, some of which still remain somewhat fragile.

Another challenge is strengthening capacity in all areas aimed at sustainable development, which will enable the country to lay a firm basis for political, economic and social stability, not forgetting the establishment of a genuine democracy concerned with human rights.

We believe that great progress has been made in Timor-Leste, but there is still a need to build on those achievements. The problem that arises today, in light of what we have heard, is not whether the international community is doing enough, but how to continue to act to greater effect.

Congo therefore hopes that the Council will consider the best way to respond to the expectations of the Timorese people and that it will continue to be attentive to their requests, including for a continued United Nations presence after the expiry of UNOTIL's mandate at the end of May 2006 through the presence of a special political office, as has been noted here today.

**Mr. Brencick** (United States of America): The delegation of the United States welcomes the participation of His Excellency President Gusmão and

Foreign Minister Ramos-Horta in today's important meeting. We thank the President for his presentation as well as his efforts to consolidate democracy, peace and justice in his country. We also thank Special Representative Hasegawa for his report and for his personal efforts to consolidate peace and stability in East Timor. He and his colleagues in the United Nations Office in Timor-Leste (UNOTIL) are doing excellent work in East Timor.

As other members have noted, the report of the Secretary-General (S/2006/24), along with the recommendations of the recent United Nations electoral assistance needs assessment mission for East Timor, underline the significant strides that have been made by the Government and the people. We congratulate them on their achievements.

The various United Nations missions to East Timor have been good models for peacekeeping and for post-conflict peacebuilding efforts. They have come in when they were needed, performed what they were set up to do and ended when the need for them had passed. UNOTIL is scheduled to complete the job it was created to do, and we believe it should end when its mandate expires in May 2006.

We recognize, however, that formidable challenges for East Timor remain. Ending UNOTIL does not mean, and should not mean, ending assistance to Timor, since the United Nations Development Programme, the World Bank and a variety of bilateral donors can and should continue to provide advice and assistance to the Government of East Timor. We will be working to ensure that such international assistance is continued, to help East Timor in its process of nation-building and reconciliation.

The United Nations recommendations for assistance to East Timor's first post-independence elections, expected to be held next year, illustrate how the United Nations can continue to be helpful while fully respecting East Timor's sovereignty. We fully support the provision of such assistance by the United Nations Electoral Assistance Division to help the Government of East Timor set the stage for free and fair elections and to further advance a young nation's democratic development.

We strongly support a credible process to determine accountability for the crimes against humanity committed in East Timor in 1999. We share the hope expressed by other members that the Secretariat will soon brief Council members on the comprehensive report prepared last June by the United Nations Commission of Experts.

Finally, we are encouraged by the seriousness and diligence with which members of the bilateral Commission for Truth and Friendship have begun their work. We look forward to further progress and are hopeful that the Commission will pursue its work in a way that generates full confidence in its conclusions and is transparent, holding public hearings, naming the names of perpetrators, protecting witness confidentiality and involving the international community.

**The President:** I shall now make a statement in my capacity as the representative of the United Republic of Tanzania.

I would like to thank the President of the Democratic Republic of Timor-Leste, His Excellency Kay Rala Xanana Gusmão, for having addressed the Security Council. I acknowledge the presence in the Council Chamber of the Foreign Minister of Timor-Leste, Mr. Ramos-Horta. I would also like to thank the Special Representative of the Secretary-General, Mr. Sukehiro Hasegawa, and commend him for his presentation of the progress report on the United Nations Office in Timor-Leste (UNOTIL).

We are encouraged by the many positive developments that have been recorded by UNOTIL, including the completion of the final rounds of local elections in a peaceful and orderly manner, with a huge voter turnout; the strengthening of the country's legal system and the submission of the report on human rights abuses, marking an important milestone in the search for truth and reconciliation in Timor-Leste; the progress that has been made on border demarcation between Timor-Leste and Indonesia; the prevailing environment of good-neighbourly relations, as manifested by the recent signing of an agreement between Timor-Leste and Australia on sharing national resources and revenue from the Timor Sea; and the timely move to start preparations for parliamentary and presidential elections in 2007.

We note, however, that, despite the remarkable progress so far achieved, many institutions in Timor-Leste are still young and fragile, calling for United Nations agencies and other development agencies to provide support for consolidating the pillars of

statehood: democratic governance, security and sustainable development.

As the UNOTIL mandate expires, we believe that Timor-Leste would benefit from a small United Nations presence in the form of a special political office to help it to complete the unfinished work, including by providing electoral assistance covering technical and logistical support for the upcoming elections for the national parliament and the presidency, and by making available civil advisers in critical areas that require assistance, including the justice and finance sectors, police training and capacity-building in the security sector. We fully support those modest requests.

We are mindful of the issues of human rights that need to be addressed, and we commend the Government for the way in which it has handled them so far. It is our expectation that human rights issues in Timor-Leste will be dealt with so that justice can be rendered among the Timorese population and so that reconciliation can be achieved, in cooperation with Indonesia, in a manner that will meet the expectations of the international community.

Finally, I wish to express my appreciation to the Special Representative of the Secretary-General, Sukehiro Hasegawa, and all UNOTIL staff, for their dedication and outstanding performance, which is an excellent example of cooperation between the United Nations and a Government. East Timor is, indeed, one of the success stories of United Nations missions.

I resume my functions as President of the Security Council.

I give the floor to the representative of Austria.

**Mr. Planzelter** (Austria): I feel privileged to speak on behalf of the European Union (EU) in the presence of the distinguished President of Timor-Leste. The acceding countries Bulgaria and Romania, the candidate countries Turkey, Croatia and the former Yugoslav Republic of Macedonia, the countries of the Stabilization and Association Process and potential candidates Albania, Bosnia and Herzegovina and Serbia and Montenegro, and the European Free Trade Association countries Iceland and Norway, members of the European Economic Area, as well as Ukraine and the Republic of Moldova, align themselves with this statement.

It is now eight months since the United Nations Office in Timor-Leste (UNOTIL) took over the job of assisting the Government in the capacity-development of critical State institutions with the aim of further strengthening democratic governance and building peace in Timor-Leste. As the EU stressed in its statement in the open debate on this subject in May 2005 (see S/PV.5180), we very much appreciate the invaluable work of the United Nations in peacebuilding in Timor-Leste, through its various missions since 1999. We welcome the fact that there was a high degree of continuity between the United Nations Mission of Support in East Timor and UNOTIL, which facilitated the seamless takeover by UNOTIL of the Mission's functions. We commend the commitment and contributions of UNOTIL personnel under the continued leadership of the Special Representative of the Secretary-General, Mr. Sukehiro Hasegawa.

Since voting overwhelmingly in favour of independence in 1999, Timor-Leste has come a long way and has achieved remarkable progress in reconstruction and State-building. It is in the context of consolidating those gains that the question of the future presence, after the end of the mandate of UNOTIL on 20 May 2006, arises. We understand that, with the recent appointment of a new United Nations Development Programme Resident Coordinator, the transition to the regular United Nations and multilateral development framework is well on track. However, we agree with President Gusmão that, given the remaining challenges in other fields, a small, time-limited political United Nations presence beyond 20 May 2006 might be useful.

The main task ahead in the months and years to come will be to secure the long-term success of the State-building process in Timor-Leste. In this regard, the preparations for and conduct of the presidential and parliamentary elections scheduled for May 2007 are crucial. Those elections will be a test for the maturity of the young democracy in Timor-Leste. Fair, correct and open conduct of the election process and the way in which the election results are handled will be essential to the success of the electoral process. The EU therefore believes that the process leading to the elections — including the elaboration of new election legislation — must be managed in an inclusive and transparent manner, involving all political forces and civil society.

Of equal importance for the long-term stability of Timor-Leste is sustainable economic progress. In that regard, the European Union welcomes the recent signing, on 12 January, of the agreement between Australia and Timor-Leste dividing equally between the two countries the revenues derived from the oil and gas fields in the Timor Sea. We regard that as a very positive development that will guarantee a steady source of clearly needed income for the Government of Timor-Leste. At the same time, as past examples have shown, oil revenues can be a mixed blessing if not managed properly. It is in that context that we stress the importance of establishing clear and transparent mechanisms — including oversight mechanisms — for the management of those resources to benefit reconstruction and development in Timor-Leste.

As the European Union has stressed repeatedly, we are convinced that justice must be done for the serious human rights violations in Timor-Leste in 1999. In that regard, the EU welcomes the report of the Secretary-General's Commission of Experts (S/2005/458, annex II), which was published in July 2005. We note the Security Council's September 2005 request to the Secretary-General to submit a report on a practical and feasible approach to justice and reconciliation for Timor-Leste. We are looking forward to tangible progress in that area.

Regarding the Commission for Truth and Friendship established by the Governments of Indonesia and Timor-Leste in November 2004, we remain concerned about the amnesty provisions contained in its statute and urge the two Governments to revisit that issue. Tackling impunity by holding to account those responsible for serious human rights violations is crucial for Timor-Leste's long-term development as part of a process that also seeks peace and reconciliation, as well as the strengthening of the rule of law.

Since 1999, the European Union and its member States have consistently expressed their support for Timor-Leste's peaceful development and economic viability. From the outset, the EU and its member States have lived up to their promises, contributing more than €700 million in support of Timor-Leste's development. That accounts for half of all the external assistance the country has received. With Timor-Leste's full membership in the framework of the EU's Africa, Caribbean and Pacific cooperation agreement, Timor-Leste will also be eligible to benefit from support under the European Development Fund. That will ensure continued, reliable and predictable financial support from the European Union for Timor-Leste.

I would like to conclude by assuring the Government and the people of Timor-Leste of the European Union's continued commitment to support them in their objective of securing the long-term, sustainable stability and development of their young country. To that end, we will continue to work closely with all bilateral and multilateral donors. The European Union has confidence in the responsible leadership of the Government of Timor-Leste and the determination of its people that the country will continue to be regarded as one of the true success stories of United Nations peacebuilding and as an example for the Peacebuilding Commission.

**The President:** I now give the floor to the representative of Australia.

**Ms. Lisson** (Australia): Thank you, Mr. President, for this opportunity to address the Security Council.

I wish to begin by expressing our thanks to the Secretary-General for his progress report on the United Nations Office in Timor-Leste (UNOTIL) (S/2006/24) and to the Special Representative for Timor-Leste, Sukehiro Hasegawa, for his work leading the United Nations mission. I would also like to acknowledge the very welcome presence here today of President Gusmão.

Australia welcomes the contribution of the United Nations mission in Timor-Leste to establishing effective democratic governance, as outlined in the report, and congratulates Timor-Leste on the remarkable progress made since 1999. As members know, Australia has been at the forefront of international efforts to support Timor-Leste's transition to an independent and secure State. We have contributed to all United Nations missions in Timor-Leste — INTERFET, the International Force for East Timor; UNTAET, the United Nations Transitional Administration in East Timor; and UNMISET, the United Nations Mission of Support in East Timor — and are currently contributing three military liaison officers and four civilian police advisers to UNOTIL. Australia has also provided more than US$ 330 million in official development assistance to Timor-Leste since 1999.

Over the past six years, the United Nations has played a critical role in the transition to a democratic and peaceful Timor-Leste. The United Nations and the broader international community should be congratulated for their contribution to Timor-Leste's successes.

However, the important work of the United Nations should not overshadow the indispensable efforts of the people and the Government of Timor-Leste to create a new nation, and the positive spirit in which both Indonesia and Timor-Leste have set about developing productive bilateral relations. In particular, we commend the efforts of the Governments of Timor-Leste and Indonesia for their cooperative approach to border management issues, notably the progress made in demarcating almost all of their mutual border and the commitment by both countries to resolving the border incidents noted in the Secretary-General's report. We encourage Timor-Leste and Indonesia to continue to work together to improve their border management arrangements.

Clearly, the situation in Timor-Leste, through the country's own efforts and those of its neighbours and the international community, is in transition from the challenge of post-crisis management to one in which the priority is longer-term development. The twentieth of May this year marks the end of the mission established by the Security Council in resolution 1599 (2005), and UNOTIL must continue to focus on preparing for the end of its mandate. More than ever, the United Nations needs to consider what UNOTIL will leave behind in terms of solid and sustainable indigenous capacity in civil administration, policing, law and justice and defence.

There is clearly more to be done to assist Timor-Leste after the end of UNOTIL's mandate. Timor-Leste will require ongoing support, particularly in capacity-building and poverty alleviation. The international community has made a considerable investment in Timor-Leste's success, and continuing challenges must be addressed by its development partners if the country is to remain a successful example of the international community's involvement in peacekeeping and peacebuilding.

Australia has been and will remain one of the largest bilateral donors to Timor-Leste. Our bilateral aid programme is estimated at more than $30 million for 2005-2006 and includes substantial capacity-building in the areas of economic governance, police and justice — for example, through a four-and-a-half-year, $23 million police development programme in partnership with the British Government. Australia also maintains a significant $6 million-per-annum defence cooperation programme with Timor-Leste.

The move from the short-term adviser placements currently supporting Timor-Leste's Government to long-term institutional strengthening supported by conventional bilateral and multilateral agencies will be a challenge. Australia is planning to provide ongoing support to the World Bank and to the specialized United Nations development agencies in priority areas, including law and justice and political and economic governance, together with a $50 million commitment over 10 years to help build public sector capacity in Timor-Leste. We encourage other international supporters of Timor-Leste to maintain their bilateral assistance after UNOTIL's mandate ends to help meet those needs and to ensure a smooth transition to a sustainable development framework.

The Secretary-General's report highlights the 2007 elections in Timor-Leste. United Nations support, including appropriate technical assistance, for those elections will be important, as will support from the international community to Timor-Leste through electoral capacity building, voter education and monitoring assistance.

Finally, I should also note here a milestone event in Australia's bilateral relations with Timor-Leste that occurred on 12 January, when our two countries signed a treaty on maritime arrangements in the Timor Sea. The treaty will raise Timor-Leste's share of upstream revenues from the Greater Sunrise gas field from 18 per cent to 50 per cent and could lead to Timor-Leste receiving additional revenue of up to $4 billion over the life of the project.

Much has been achieved in Timor-Leste in a short time, which is a credit to the people of Timor-Leste, to the United Nations and to the international community. We must all remain committed to supporting Timor-Leste in its transition to secure and self-reliant statehood. Australia, for its part, can be relied upon to contribute to these efforts.

**The President:** I now give the floor to the representative of Portugal.

**Mr. Salgueiro** (Portugal): Mr. President, I would like first to thank President Xanana Gusmão and Foreign Minister Ramos-Horta. I also wish to express my appreciation for President Gusmão's most valuable contribution to this debate.

I would like to thank the Secretary-General for his latest report on the situation of Timor-Leste and to thank Special Representative Hasegawa for his excellent presentation. I take this opportunity to praise the dedicated efforts of the civilian, military and police components of the United Nations Office in Timor-Leste (UNOTIL) and to congratulate them on their many achievements in Timor-Leste.

Portugal subscribes to the statement made by the representative of Austria on behalf of the European Union. Therefore, I will only add a few comments of our own.

First, we agree with the evaluation by the United Nations of the situation of Timor-Leste and that the successful conclusion of local elections, the strengthening of the legal framework through the adoption of key legislation and the improved observance of human rights by the police are good examples of progress. We share the view that the overall situation in Timor-Leste remains stable, except for a few incidents involving the incursion of former militias into Timor-Leste and a serious border incident a few weeks ago that resulted in the death of three infiltrators. In that context, I would like to emphasize that even relatively low-level incidents could have — we hope not — a significant impact on and consequences for the stability of Timor-Leste.

My second point is a direct consequence of this perception. Timor-Leste is in a critical period of its peacebuilding process, and the report of the Secretary-General clearly outlines a number of areas that are in need of international assistance beyond the mandate of UNOTIL, namely justice, finance, police training and border management. Another challenge facing Timor-Leste will be the preparations for and conduct of the presidential and parliamentary elections scheduled for 2007 — the first since the country assumed independence in 2002.

While the future of the country rests first and foremost with the Timorese people and their Government, under the present circumstances Portugal supports the Secretary-General's proposal that the international community should remain engaged in Timor-Leste beyond 20 May 2006, when UNOTIL's mandate expires. Portugal believes that we must determine what kind of international presence will be appropriate to assist Timor-Leste on its way to long-term stability and development and in the tasks in which the Timorese Government finds it more urgently needs United Nations support.

We welcome the steady and positive development in the relationship of Timor-Leste and its neighbour, Indonesia. An example is the effort to finalize the demarcation of the remaining 1 per cent of the border, which is the result of the consistent commitment by the leadership of both countries.

Portugal also welcomes the recent signing of the agreement between Australia and Timor-Leste, which will provide much-needed resources to sustain the economic progress of this new country. We congratulate the Government of Timor-Leste for its initiative in creating a mechanism to ensure transparency in the management of those resources.

We must acknowledge the importance of continuing bilateral assistance and underline the responsibility of the international community in relation to Timor-Leste. I would just like to point out that last week Portugal signed an assistance plan with the Timorese Government wherein it committed $32.6 million in development assistance to Timor-Leste for 2006.

My final remarks relate to the responsibility of the international community and of the Security Council in relation to Timor-Leste. In that regard, we reiterate our support for the report of the Secretary-General's Commission of Experts, and we note the request of the Security Council that the Secretary-General submit a report on justice and reconciliation for Timor-Leste with a practically feasible approach, so that the expectations of the people are met.

**The President**: I now give the floor to the representative of Brazil.

**Mr. Sardenberg** (Brazil): At the outset I would like to pay tribute to the President of the sister country Timor-Leste, Xanana Gusmão, and praise his heartfelt commitment to the full empowerment and development of the Timorese people. Likewise, I welcome Foreign Minister Ramos-Horta to the Security Council.

This is the first time I take the floor since the completion of Brazil's term as a non-permanent

member of the Security Council last December. It pleases me to do so, Mr. President, when the Council is addressing the important issue of Timor-Leste under your highly skilful presidency.

I wish to express our thanks to Ambassador Jones-Parry and to the members of the delegation of the United Kingdom for their competent work in the presidency last month. Finally, I thank Special Representative Hasegawa for the presentation of the Secretary-General's report and for the tireless and effective work he has carried out in Timor-Leste as head of the United Nations Office in Timor-Leste (UNOTIL).

Brazil is one of the partners of Timor-Leste. In close collaboration with the United Nations Development Programme, my country is supporting the justice sector, and we are also engaged in efforts to increase bilateral cooperation in the areas of education, health and professional training. Now we are also exploring possibilities of further cooperation with the National Parliament of Timor-Leste.

As stated by Mr. Hasegawa, other bilateral and international partners are likewise coming forward with their contribution, mainly with a view to assisting in the consolidation of Timorese institutions. Among the members of the Community of Portuguese-Speaking Countries, in addition to Brazil, I recall the support given by Cape Verde and Portugal.

However, despite the outstanding efforts made by the Timorese people and their Government and the fact that progress has been achieved in establishing democratic governance in the country, international cooperation remains essential to sustain core administrative structures, which are critical to the viability and political stability of Timor-Leste.

The main challenge goes beyond maintaining current levels of performance. That performance has already helped to ensure the successful conclusion of local elections, the strengthening of the legal framework through the adoption of key legislation and the improvement in the observance of human rights by the police. The challenge consists of proceeding with the work of building national and local institutions, which are not now self-sufficient and which will have an uncertain future if partnerships to train their personnel and enhance their means and capacities are not made available. Timor-Leste relies on international assistance to consolidate its newly independent State, whose first Government was sworn in only 3 years ago.

The Security Council will soon face an important decision regarding the overall future of Timor-Leste. My delegation understands that the smooth transition to a sustainable development framework, as stressed in resolution 1559 (2005), is still to be fully implemented, with the assistance of bilateral and multilateral donors, regional mechanisms, non-governmental organizations, the private sector and other interested actors. Brazil expects that the Council will duly take that into consideration during its deliberations on the issue of the needs of the Government of Timor-Leste, in order to consolidate the success story of United Nations involvement in that country since 1999.

It is our view that the international community will have to remain engaged in Timor-Leste beyond May 2006, when UNOTIL's mandate expires, and for as long as necessary to secure a stable and self-sufficient institutional governmental structure for that country. In that regard, my delegation firmly supports the statement made by President Xanana Gusmão in the Council, and requests Council members to consider the possibility of adopting a strategy to phase out the presence of the special political mission in Timor-Leste while replacing its advisers and personnel with reliable assistance to be provided by other equally committed partners as needed.

In conclusion, I would also like to welcome the improvement in Timor-Leste's relations with neighbouring countries, particularly with Indonesia and Australia. Sensitive issues such as those pertaining to border disputes and the exploration of shared natural resources are being successfully dealt with, thereby contributing significantly to the focusing of all efforts on the agenda of peace and development for Timor-Leste.

**The President**: I thank the representative of Brazil for his kind words addressed to me.

I now give the floor to the representative of Indonesia.

**Mr. Jenie** (Indonesia): Let me begin by congratulating you, Sir, on the excellent way in which you have carried the duties of the presidency of the Security Council for the month of January. I would also like to thank the Secretary-General for his progress report (S/2006/24) on the United Nations Office in

Timor-Leste (UNOTIL) for the period 16 August 2005 to 13 January 2006. My delegation also appreciates the comprehensive briefing by Mr. Sukehiro Hasegawa, Special Representative of the Secretary-General for Timor-Leste. We thank him for his leadership in the implementation of UNOTIL's mandate.

Before proceeding, allow me to join previous speakers in welcoming Yang Mulia Bapak, President Kay Rala Xanana Gusmão of Timor-Leste and Foreign Minister José Ramos-Horta. President Gusmão has highlighted his perspective on the issue of justice vis-à-vis the people of Timor-Leste in dealing with the past. The wisdom, leadership and statesmanship of President Xanana Gusmão in bringing his people out of the difficult past and into a healthier and more prosperous future are inspiring. His strong determination to foster reconciliation among Timorese is also admirable. Among other things, that determination was reflected in his attempt last December, which my Government was pleased to facilitate, to once again reach out to fellow Timorese residing in West Timor. My delegation also wishes to commend his lucid presentation on the current developments in his country, the challenges that the Timorese people face today, their ongoing needs and expectations as regards the international community, which we believe deserve positive consideration by the Council.

My delegation is pleased that the Government of Timor-Leste, as recognized in the report of the Secretary-General, has made further progress in establishing effective democratic governance in the country. Thanks to its wise and brave leaders, that new State has become a peaceful, stable and politically dynamic nation.

We are also gratified at the equally important fact that, as President Gusmão also stated earlier, the relationship between Timor-Leste and Indonesia has continued to grow. In that regard, allow me to stress that, as Timor-Leste remains a major priority in Indonesia's foreign policy, those excellent bilateral ties continue to be marked by a close rapport at the highest level between leaders of the two countries.

In that connection, we affirm that bilateral cooperation has further deepened and expanded. Under the mechanism of the annual meetings of the Indonesia-Timor-Leste Joint Ministerial Commission for Bilateral Cooperation, we continue to make progress in various fields, including those pertaining to border issues, legal matters, trade, investment and finance, health, transport and communications, and the social, educational and cultural fields. That progress also includes assistance to Timor-Leste in various areas of institutional capacity-building.

The maturity of our bilateral ties has allowed our two countries to deal comfortably and effectively with any common issue and problem that may arise on a bilateral basis, including matters relating to the difficult episode of our shared history as well as border issues. As pointed out earlier by President Gusmão, our two countries have reached agreement on 99 per cent of our common land border, with the remaining 1 per cent to be resolved in the very near future.

Notwithstanding that progress, it is deeply regrettable that border incidents — such as the one that, as mentioned in the Secretary-General's report, took place on 6 January, which resulted in the deaths of three people — continue to take place. As the joint commission of investigation is moving towards establishing the facts surrounding the incident, we should refrain from making prejudicial conclusions. The two countries indeed agree that those were isolated incidents that do not in any way affect our excellent bilateral relations. We also agree that those incidents underline the need to strengthen cooperation and coordination between the border authorities of both countries, in order that such incidents not occur again. In that regard, we look forward to the completion of a new border-management framework in the near future.

My delegation notes with interest that, as the report of the Secretary-General points out and pursuant to Security Council resolution 1599 (2005), UNOTIL continues to focus on the coordination of donor assistance, to encourage the implementation of projects towards sustainable and long-term development in Timor-Leste and ensure a smooth transition from UNOTIL to a development assistance framework. Some progress has been made during the period under review, including UNOTIL's efforts to hand over responsibility to the Government and to development partners. As of October 2005, UNOTIL's Civilian Support Group and the United Nations Development Programme's Institutional Capacity Building Support Programme have been fully integrated within the Government's Capacity Development Coordination Unit, under the Office of the Prime Minister. We agree that the latter will facilitate the eventual takeover by

the Government on all functions related to the management and coordination of assistance programmes. In that regard, we hope that the appointment of a new United Nations resident coordinator in Dili, who will assume his duties next month, will further facilitate the process.

Another important development is the planned Development Partners' Conference in April. It will provide an important opportunity for the international community to demonstrate its continued commitment to Timor-Leste and for commitments already made to be translated soon into concrete action.

We really look forward to a successful conclusion of UNOTIL's mandate on 20 May. However, we share the Secretary-General's assessment, as contained in his report, that, while the future of the country rests with the Timorese people and their Government, the international community should remain engaged in Timor-Leste beyond 20 May, when UNOTIL's mandate expires.

The forthcoming presidential and parliamentary elections, which will take place for the first time in Timor-Leste in 2007, constitute a major challenge facing the country in the near future. It is important that the international community continue to assist Timor-Leste to face the challenge and to meet some of its needs in critical areas, as set out by President Gusmão earlier, inter alia in the justice and finance sectors, as well as in police training.

For its part, Indonesia will fulfil its bilateral support on the basis of the forward-looking and reconciliatory principles established by the leaders of both nations. We have always applauded the role of the international community in helping the process of development in Timor-Leste, recognizing at the same time that, as the only nation that shares a land border and has specific historical ties with Timor-Leste, we have a special obligation to discharge.

**The President**: I should like to inform the Council that I have received a letter from the representative of Papua New Guinea, in which he requests to be invited to participate in the consideration of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite that representative to participate in the consideration without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

*At the invitation of the President, Mr. Kua Kanua, Papua New Guinea, took a seat at the Council table.*

**The President**: I invite the representative of Papua New Guinea to take the floor.

**Mr. Aisi** (Papua New Guinea): May I join others in welcoming President Gusmão and Foreign Minister Ramos-Horta to the United Nations.

I also congratulate you, Sir, on your assumption of the presidency of the Council and thank the United Kingdom for its sterling efforts in December.

I take pleasure in speaking today on behalf of the Pacific Islands Forum member countries: Australia, the Federated States of Micronesia, Fiji, Kiribati, the Marshall Islands, Palau, Nauru, New Zealand, Samoa, Solomon Islands, Tuvalu, Vanuatu and my own country, Papua New Guinea, along with the observer members.

Especially pleasing is the fact that Timor-Leste is currently an observer member of the Pacific Islands Forum.

To date, many of the participants in the military and civilian police personnel have come from Pacific Islands Forum countries, namely, Australia, New Zealand, Fiji, Palau, Samoa and Vanuatu. Other countries, such as Papua New Guinea, have also made small contributions in other areas.

As alluded to by my colleagues previously, much has been achieved and much more needs to be done. We commend the work of the Special Representative, Mr. Sukehiro Hasegawa. We also encourage the good work that continues to be carried out by the United Nations agencies.

We recognize the efforts of President Gusmão's Government and the people of Timor-Leste to consolidate peace on their road to achieving development and prosperity.

In closing, we wish the Government and people of Timor-Leste well and look forward to seeing further consolidated the good progress being made. We agree with our colleagues — especially, in this case, Australia — that we must all remain committed to

supporting Timor-Leste in its transition to secure and self-reliant statehood.

**The President**: I shall now give the floor to Mr. Hasegawa to respond to the comments made and questions raised.

**Mr. Hasegawa**: In view of the brief time available, I will respond to just two issues that have been raised by the members of the Security Council and other interested countries.

The first is that of pursuing justice and reconciliation. Ambassador Ladsous of Denmark started the discussion by referring to the need to pursue that subject, and it was touched upon by the representatives of France, Greece, Japan, the United States, Austria on behalf of the European Union, Portugal and Brazil.

We have indeed taken note of the request made to the Secretary-General by the President of the Security Council in his letter of 28 September 2005 to formulate a report on justice and reconciliation, with particular emphasis on comments made by the Commission of Experts, and on the need to produce a practical and feasible approach, taking into account the views of Timor-Leste and Indonesia.

Secondly, a number of speakers touched upon the continued need for assistance in the period after the United Nations Office in Timor-Leste. The representatives of Argentina, Greece, Portugal, Brazil, China, Ghana, Peru and Russia all spoke in favour of providing continued international assistance, with emphasis on the transfer of responsibilities, as much as possible, to a sustainable assistance framework. At the same time, many speakers referred to the need for continued United Nations engagement in support of preparations for the presidential and parliamentary elections to be held in 2007. I have taken note of those statements, and in particular of the requests made by Ambassador Thomson of the United Kingdom for a clearly defined role for the United Nations special office and by Ambassador Oshima of Japan for the modalities of the United Nations assistance to be provided.

**The President**: There are no further speakers inscribed on my list. The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

I want to thank President Gusmão again for his presence and for his interventions.

*The meeting rose at 1.10 p.m.*